

Docket No. 033964-1050
Application No. 10/782,437
Page 7

REMARKS

The Office Action of January 30, 2007 was received and carefully reviewed. The Examiner is thanked for his review and consideration of this application. Reconsideration and withdrawal of the currently pending rejections are requested for the reasons advanced in detail below. Claims 1-22 are pending in the instant application, with claims 1 and 10-14 amended, of which claims 1, 10 and 14 are independent.

In the present Office Action, claims 10 and 12 stand rejected under 35 U.S.C. §102(b) as being anticipated by Loudermilk et al. (U.S. Patent No. 6,393,401 -- hereafter Loudermilk). Further, claims 1-6, 8, 9, 14-19, 21 and 22 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Loudermilk in view of Chan (U.S. Patent. No. 6,446,376 -- hereafter Chan). Finally, claims 7, 11, 13 and 20 stand rejected under 35 U.S.C. §103(a), as being unpatentable over Loudermilk in view of Haas et al. (U.S. Patent No. 5,954,514 -- hereafter Haas).

However, Applicants respectfully submit that Loudermilk, Chan and Haas, taken alone or in combination, fail to disclose, teach or suggest all of the features recited in the pending claims. For example, independent claim 10 has been amended to recite, *inter alia*, the feature of "recording and storing an audio segment; selectively locking the recorded audio segment to prevent erasure of the stored audio segment." (See FIGS. 1 and 5 at 132 and 516, respectively, page 8, first paragraph and page 11, first full paragraph of present application). Loudermilk discloses a picture frame in which audio messages are stored under CPU control such that the audio message playback can be initiated by touching switches on the frame or a switch associated with the picture itself (col. 2, lines 45-49 of Loudermilk). However, Loudermilk fails to teach or disclose the feature of recording and selectively locking a recorded audio segment to prevent erasure of the stored audio segment, as presently claimed. Thus, it cannot be said that Loudermilk anticipates the invention as presently claimed.

With regard to independent claims 1 and 14, Applicants have been amended claims 1 and 14 to recite, *inter alia*, the features of "an audio storage means with one or more audio segments associated with each exterior image display means and interior image display means; an audio storage locking means wherein activation will prevent any new audio to be stored over previously stored audio within the audio storage means." Loudermilk as stated above lacks these features. Further, Applicants contend that neither Chan nor Haas overcome

10550993.1

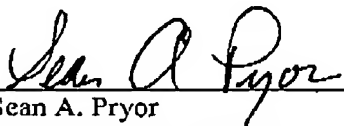
Docket No. 033964-1050
Application No. 10/782,437
Page 8

the deficiencies of Loudermilk discussed above. Therefore, these rejected claims are allowable at least for similar reasons as discussed above.

The remaining dependent claims are allowable over the applied references, taken alone or in combination, on their on merits and for at least the reasons as argued above with respect to their independent claims.

In view of the foregoing, it is respectfully requested that the rejections of record be reconsidered and withdrawn by the Examiner, that claims 1-22 be allowed and that the application be passed to issue. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned to arrange such a conference.

Respectfully submitted,


Sean A. Pryor
Registration No. 48,103

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000

10550993.1